



#3

PTO/SB/17 (11-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 562.00

Complete if Known

| | |
|----------------------|----------------------|
| Application Number | 10/025,974 |
| Filing Date | December 19, 2001 |
| First Named Inventor | Shawn Jay Cunningham |
| Examiner Name | Not Assigned |
| Group Art Unit | Not Assigned |
| Attorney Docket No. | 1426/3/2 |

COPY OF PAPERS
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METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

| | |
|------------------------|--|
| Deposit Account Number | |
| Deposit Account Name | |

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------|---------------|------------------------|-------------|
| Fee Code (\$) | Fee Code (\$) | | |
| 101 740 | 201 370 | Utility filing fee | 370.00 |
| 106 330 | 208 165 | Design filing fee | |
| 107 510 | 207 255 | Plant filing fee | |
| 108 740 | 208 370 | Reissue filing fee | |
| 114 160 | 214 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | (\$) 370.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 25 | -20** = 5 | X 9 = | 45 |
| 4 | -3** = 1 | X 42 = | 42 |
| Multiple Dependent | | | |

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------|---------------|--|------------|
| Fee Code (\$) | Fee Code (\$) | | |
| 103 18 | 203 9 | Claims in excess of 20 | |
| 102 84 | 202 42 | Independent claims in excess of 3 | |
| 104 280 | 204 140 | Multiple dependent claim, if not paid | |
| 109 84 | 209 42 | ** Reissue independent claims over original patent | |
| 110 18 | 210 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | (\$) 87.00 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description | Fee Paid |
|---------------------------|---------------|--|-------------|
| Fee Code (\$) | Fee Code (\$) | | |
| 105 130 | 205 65 | Surcharge - late filing fee or oath | 65.00 |
| 127 50 | 227 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 130 | 139 130 | Non-English specification | |
| 147 2,520 | 147 2,520 | For filing a request for ex parte reexamination | |
| 112 920* | 112 920* | Requesting publication of SIR prior to Examiner action | |
| 113 1,840* | 113 1,840* | Requesting publication of SIR after Examiner action | |
| 115 110 | 215 55 | Extension for reply within first month | |
| 116 400 | 216 200 | Extension for reply within second month | |
| 117 920 | 217 460 | Extension for reply within third month | |
| 118 1,440 | 218 720 | Extension for reply within fourth month | |
| 128 1,960 | 228 980 | Extension for reply within fifth month | |
| 119 320 | 219 160 | Notice of Appeal | |
| 120 320 | 220 160 | Filing a brief in support of an appeal | |
| 121 280 | 221 140 | Request for oral hearing | |
| 138 1,510 | 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | 240 55 | Petition to revive - unavoidable | |
| 141 1,280 | 241 640 | Petition to revive - unintentional | |
| 142 1,280 | 242 640 | Utility issue fee (or reissue) | |
| 143 460 | 243 230 | Design issue fee | |
| 144 620 | 244 310 | Plant issue fee | |
| 122 130 | 122 130 | Petitions to the Commissioner | |
| 123 50 | 123 50 | Processing fee under 37 CFR 1.17(a) | |
| 126 180 | 126 180 | Submission of Information Disclosure Stmt | |
| 561 40 | 561 40 | Recording each patent assignment per property (times number of properties) | 40.00 |
| 146 740 | 246 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 740 | 249 370 | For each additional invention to be examined (37 CFR § 1.126(b)) | |
| 179 740 | 279 370 | Request for Continued Examination (RCE) | |
| 169 900 | 169 900 | Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | |
| SUBTOTAL (3) | | | (\$) 105.00 |

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

| | | | | | |
|-------------------|-------------------|-----------------------------------|--------------|--------------------------|--------------|
| Name (Print/Type) | Jeffrey L. Wilson | Registration No. (Attorney/Agent) | 36,058 | Complete (if applicable) | |
| Signature | | Telephone | 919-493-8000 | Date | 20 Feb. 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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GREGORY A. HUNT
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February 20, 2002

I hereby certify that this correspondence is being deposited with
the United States Postal Service as first class mail in an envelope
addressed to the Commissioner of Patents and Trademarks,
Washington, D.C. 20231 on February 20, 2002
April N. Williams
Date of Signature 2/20/02

COPY OF PAPERS
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Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 10/025,974 for MEMS DEVICE
HAVING AN ACTUATOR WITH CURVED ELECTRODES
Our File No. 1426/3/2

Sir:

Enclosed please find the following:

1. A Response to the Notice to File Missing Parts (2 pages);
2. An executed Declaration (2 pages);
3. A copy of the Notice to File Missing Parts;
4. An executed Assignment (2 pages);
5. Recordation Form Cover Sheet (Form PTO-1595);
6. Fee Transmittal, in duplicate;
7. A check in the amount of \$562.00; and
8. A return-receipt postcard to be returned to our offices with the U.S. Patent and Trademark filing stamp thereon.



Commissioner of Patents
February 20, 2002
Page 2

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Please contact our offices if there are any questions with this matter.

Although a check is being submitted, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this correspondence to Deposit Account Number 50-0426.

Respectfully submitted,

JENKINS & WILSON, P.A.

Jeffrey L. Wilson
Registration No. 36,058
Customer No. Bar Code Label:

JLW/anw

Enclosures



PATENT TRADEMARK OFFICE

Addendum

1. MEMS DEVICE HAVING AN ACTUATOR WITH CURVED ELECTRODES

10025974-121901



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/025,974 | 12/19/2001 | Shawn J. Cunningham | 1426/3/2 |

CONFIRMATION NO. 7819

FORMALITIES LETTER



00000000007389149

25297
JENKINS & WILSON, PA
3100 TOWER BLVD
SUITE 1400
DURHAM, NC 27707

Date Mailed: 01/30/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/05/2002 SDIRETA1 00000048 10025974

FILED UNDER 37 CFR 1.53(b)

| | |
|-----------|-----------|
| 01 FC:201 | 370.00 DP |
| 02 FC:205 | 55.00 DP |
| 03 FC:203 | 45.00 DP |
| 04 FC:202 | 42.00 DP |

Filing Date Granted

COPY OF PAPERS
ORIGINALLY FILED

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$87.
 - \$45 for 5 total claims over 20.
 - \$42 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$85 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 522.

*A copy of this notice **MUST** be returned with the reply.*

B. Habte-said

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 2/26/02

April N. Williams
Date of Signature

2/26/02

#3
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Cunningham et al.

Group Art Unit: Not Assigned

Serial No.: 10/025,974

Examiner: Not Assigned

Filed: December 19, 2001

Docket No.: 1426/3/2

Confirmation No.: 7819

For: MEMS DEVICE HAVING AN ACTUATOR WITH CURVED ELECTRODES

RESPONSE TO NOTICE TO FILE MISSING
PARTS - FILING DATE GRANTED

Commissioner for Patents
BOX MISSING PARTS
Washington, D.C. 20231

Sir:

Pursuant to the "Notice to File Missing Parts of Application - Filing Date Granted" dated January 30, 2002, and having a period for response set to expire on March 30, 2002 please find enclosed the following:

1. An executed Declaration for the above-referenced U.S. Patent Application;
2. An executed Assignment and related Recordation Form Cover Sheet for the above-referenced U.S. Patent Application; and
3. A check in the amount of \$562.00 (\$457.00 representing the filing fee, \$65.00 representing the Missing Parts surcharge fee for a small entity and \$40.00 representing the Assignment recordation fee).

A copy of the Notice to File Missing Parts is being filed simultaneously.

Although a check is being submitted herewith, the Commissioner is hereby authorized to charge any deficiency or credit any overpayments in connection with the filing of this Response to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS & WILSON, P.A.

Date: 20 Feb. 2002

By:

Jeffrey L. Wilson

Registration No. 36,058

COPY OF PAPERS
ORIGINALLY FILED

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1426/3/2 GAH/anw

Enclosures



25297

PATENT TRADEMARK OFFICE